

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



October 9, 1996

ALL COUNTY INFORMATION NOTICE I-54-96

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) STATE PLAN

REFERENCE: PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY ACT OF 1996 (PUBLIC LAW 104-193)

As you know, the President signed HR 3734 on August 22nd. Among its various provisions, this legislation ends the current Aid to Families with Dependent Children (AFDC) Program, and replaces it with block grants to states. The new block grant is to be implemented July 1, 1997. States may implement earlier through the submission of a State Plan. This letter is to inform you that on October 9, 1996 we submitted an initial State Plan to the federal government to begin receipt of additional federal funding available under the Temporary Assistance for Needy Families (TANF) Block Grant. Attached is a copy of the State Plan in its entirety.

The California Department of Social Services (CDSS) is submitting this initial plan to capture the additional federal funding. The plan will include only the minimum items needed to draw down the new funding. The plan contains no new policy decisions or changes to existing program requirements. We will continue to operate our welfare programs under the terms of current state law with existing waiver provisions, until an overall redesign is developed in conjunction with the Legislature, counties and affected stakeholders.

Submission of the State Plan will also result in the implementation of the 4.9 percent and regional grant reductions that have already been enacted by the Legislature in the State budget for SFY 1995/96. These reductions have been delayed pending federal approval and will be effective no earlier than January 1, 1997. Further information on these changes will be provided as soon as possible.

Federal acceptance of the State Plan will initiate the time-limit provisions of the new federal law (five year lifetime limit and two year work requirement). These provisions

represent a limit on how long federal funding is available. Any assistance provided beyond the time limits would be funded solely through nonfederal funds. Until there is a change in State law, there are no such time limits in California that will terminate an individual's receipt of aid.

Recognizing the strong emphasis in the federal law on moving recipients from welfare to work, we intend to utilize a portion of the new funding to expand employment and training services. As you know, the Department recently released \$28 million to expand the GAIN Program. To further improve recipients' job readiness, we are committed to an additional \$60 million from the new federal funding to further GAIN services. Information on this funding will be disseminated shortly.

The CDSS is providing local governments, private sector organizations and the general public an opportunity for review and comment on the plan from October 9, 1996 through November 25, 1996. The Plan may also be found at the CDSS State Plan website located at <http://www.dss.cahwnet.gov/reform>.

Comments may be submitted in writing to the address given below. Additional copies of the plan may also be obtained by writing to the address below, by calling (916) 657-2145, or by FAXING your request to (916) 654-3286. Written comments concerning the proposed TANF State Plan should be submitted to:

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES  
Office of Regulations Development  
744 P Street, M.S. 7-192  
Sacramento, California 95814  
Attn: Frank R. Vitulli

Any questions regarding the provisions contained in the State Plan should be directed to Anna Chambers at (916) 654-1077, CALNET 454-1077 or to Joe Einhoff at (916) 654-1867, CALNET 454-1867.

Sincerely,



BRUCE WAGSTAFF  
Deputy Director  
Welfare Programs Division

Attachment

STATE PLAN FOR PROVISION OF  
PUBLIC ASSISTANCE UNDER  
THE PERSONAL RESPONSIBILITY  
AND WORK OPPORTUNITY  
RECONCILIATION ACT OF 1996

OCTOBER 9, 1996

STATE OF CALIFORNIA  
Pete Wilson, Governor

HEALTH AND WELFARE AGENCY  
Sandra R. Smoley, R.N., Secretary

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES  
Eloise Anderson, Director

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**CERTIFICATION**

California will operate a program to provide temporary assistance to needy families so that the children may be cared for in their own homes or in the homes of relatives; to end dependence of needy parents on government benefits by promoting job preparation, work, and marriage; to prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and encourage the formation and maintenance of two-parent families.

This program is known as the Temporary Assistance to Needy Families (TANF) Program.

Executive Officer of the State: Pete Wilson, Governor

The California Department of Social Services, the California Department of Health Services and the Office of Criminal Justice Planning are the state agencies responsible for supervision of local political subdivisions in the administration of the TANF Program. These agencies have authority under state law to make rules and regulations that are binding on such political subdivisions. This State Plan will be binding on the subdivisions and will be in effect throughout the state.

In administering and operating a program which provides temporary assistance for needy families with minor children under title IV-A of the Social Security Act, the state will:

1. Assure that local governments and private sector organizations:
  - (A) will be consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations, and
  - (B) will have had at least 45 days to submit comments on the plan and the design of such services.\*
- \* The State submits this certification pursuant to the Department of Health and Human Services representation that the State Plan may be submitted simultaneously with the period for consultation and comments.

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**CERTIFICATION**

2. Operate a Child Support Enforcement program under the State Plan approved under part D;
3. Operate a Foster Care and Adoption Assistance program in accordance with part E, and certify that the state will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance;
4. Provide each member of an Indian tribe, who is domiciled in the state and is not eligible for assistance under a tribal family assistance plan approved under section 412, with equitable access to assistance under the state program funded under this part attributable to funds provided by the federal government.
5. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of state programs, kickbacks, and the use of political patronage.
6. Make available to the public a summary of the State Plan.

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:

October 9, 1996  
DATE

  
\_\_\_\_\_  
PETE WILSON, Governor

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A. GENERAL PROVISIONS

- I. Outline how the state intends to conduct a program designed to serve all political subdivisions in the state (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work, and support services to enable them to leave the program and become self-sufficient.

The state will operate its existing Aid to Families with Dependent Children (AFDC) program which provides assistance to needy families, and its Greater Avenues for Independence (GAIN) program which is California's welfare-to-work program, as its TANF program. This program will include California's existing Section 1115 demonstration projects, including the California Work Pays Demonstration Project (CWPDP). GAIN job preparation and supportive services will be provided to the extent resources permit. Both programs presently serve all political subdivisions (counties) in the state and will continue to do so. Both programs are supervised by the California Department of Social Services (CDSS) and administered by county welfare departments in accordance with a statewide system of regulations that ensure universal access as well as consistent and uniform eligibility criteria.

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- ii. Outline how the state intends to require a parent or caretaker receiving assistance under the program to engage in work (as defined by the state) once the state determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier.

The state intends to seek statutory changes to put in place a requirement that an individual engage in work in accordance with Section 402 of the TANF law.

Until state law changes, the state will continue to operate its GAIN program under a federally approved waiver (CWPDWP) and state statute. Under the CWPDWP waiver, GAIN participants who have received aid for 22 of the last 24 months and meet other specified criteria are required to participate in at least 100 hours a month in preemployment preparation (PREP) or work experience activities.

At the time of application the county may determine that the applicant meets specified criteria for exemption from employment preparation or work activities; otherwise, the county will determine an individual's ability to engage in work upon their entry into GAIN. An individual who is not exempted from participation will be assigned to an education, training, work experience or job search program as appropriate and as resources permit.

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- iii. Outline how the state intends to ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with Section 407.

California's welfare-to-work program (GAIN) assists TANF recipients find employment and/or acquire the necessary job skills to obtain employment. Recipients who are determined to be ready to engage in employment preparation or work activities are required to participate in job search, unsubsidized employment, education, on-the-job-training, subsidized employment, or work experience assignments as appropriate and to the extent resources permit. Assignment to an activity/activities is based upon an employment plan developed through an appraisal or assessment process, which considers the person's educational background, work history, employment goal, and need for supportive services.

As was noted in the previous section, consistent with the CWPDP, certain GAIN participants are required to participate in at least 100 hours of PREP or work experience activities. Also provided under federal waiver, a one-time exemption to GAIN participation exists for parents with a child under the age of three.

In addition, as provided under federal waiver (CWPDP), pregnant and parenting teens, unless exempted or deferred, who have not obtained a high school diploma or its equivalent, are required to participate in the Cal-Learn program.



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Any recipient of assistance who refuses to cooperate in meeting program requirements or fails to fulfill the terms of their GAIN employment plan without good cause, shall incur financial sanctions.

As part of the CWPDP, California established policies over the past three years to encourage recipients to seek work that will be continued under TANF. The following policies make it more beneficial for recipients to seek and accept even part time employment:

The time limit on the \$30 and 1/3 deduction for those who work was eliminated.

The state adopted fill-the-gap budgeting. The difference between a need standard that is higher than the maximum aid payment allows recipients to fill-the-gap with earnings and not see a dollar for dollar reduction in their grant amount.

The value of property that a recipient can have and remain on aid was increased.

The exempt value of an automobile that a recipient can have and remain on aid was increased.

Special restricted accounts of up to \$5,000 are allowed for starting a business, buying a home or for the post-secondary education or employment training of a child.

Further, California will be utilizing a portion of the available funding under the TANF block grant to expand the GAIN program, and will also be taking steps to ensure that the additional funding provided by the Child Care and Development Block Grant is utilized to assist recipients in moving from welfare to work.

The state intends to seek appropriate statutory changes to more fully incorporate the provisions of Section 407 and will submit an amended State Plan, if needed, at a later date.

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- iv. Outline how the state intends to take such reasonable steps as the state deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the federal government.

Existing state law specifies that information about individuals and families receiving assistance is to be considered confidential. Therefore, except as authorized by federal law, the state will continue to enforce existing confidentiality regulations. These regulations have been developed to protect applicants and recipients against identification, exploitation, or embarrassment that could result from the release of information identifying them as having applied for, or having received, public assistance.

The regulations apply to all records, papers, files, and communications (whether written or oral) pertaining to applicants for, and recipients of, public assistance. They also outline under what circumstances, and to whom, such information may be released.

Except as otherwise provided by federal law, all information concerning the circumstances of any individual applying for, or receiving, public assistance is confidential and is to be safeguarded. No disclosure of any information obtained by a representative, agent, or employee of the county, in the course of discharging his or her duties, shall be made directly or indirectly other than in the administration of public social service programs, or as provided under federal law. Any disclosure of information which identifies by name or address any applicant or recipient of public social services to federal, state, or local legislative bodies and their committees without the consent of such applicant or recipient is prohibited. Both the release and the possession of confidential information in violation of the rules are misdemeanors.

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- v. Outline how the state intends to establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and establish numerical goals for reducing the illegitimacy ratio of the state (as defined in section 403(a)(2)(B)) for calendar years 1996 through 2005.

California has a stated goal of reducing the incidence of pregnancies among females aged 17 and younger. The Governor recently launched the "Partnership for Responsible Parenting." Coupled with other ongoing teen pregnancy prevention efforts, this represents the state's comprehensive, multi-faceted, preventive approach to this complex social issue. The Partnership for Responsible Parenting has four components:

- (1) Community Challenge Grants -- A grant program that is being implemented to support private organizations and public agencies to develop and implement innovative, effective community-based strategies to reduce teen and unwed pregnancies.
- (2) Media Campaign -- A multi-media public awareness campaign will be designed to educate Californians about the problems surrounding teenage pregnancy and fatherlessness, and to engage the public in efforts to promote responsible parenting.
- (3) California Mentor Initiative -- The state has expanded its mentoring program to help reach the goal of linking 250,000 mentors with at-risk youth by the year 2000.
- (4) Statutory Rape -- The state has expanded its "vertical prosecution" program and further strengthen law enforcement's ability to prosecute adult men who have sex with teenage girls. Vertical prosecution allows the same prosecutor to follow a specific case all the way through the judicial process.

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Other significant teen pregnancy prevention programs:

- A State-Only Family Planning Program to prevent unintended pregnancy through expanded access to family planning services for low income women and men.
- Local male involvement programs that provide educational and counseling services specifically targeted to adolescent boys and young men to promote their role in reducing teen pregnancies.
- Information and Education programs that provide a continuum of educational interventions to assist females and males of reproductive age to acquire the knowledge, attitudes, and behavioral skills necessary to make responsible decisions regarding their reproductive health.
- Pregnant or parenting teens will be required to live at home, with good cause exceptions, if they are to receive financial assistance.
- Cash grants will not be increased for additional children born to families who have received aid for the ten months prior to the child's birth.

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- vi. Outline how the state intends to conduct a program designed to reach state and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men.

California intends to attack the problem through the Statutory Rape Program which includes targeting adult men fathering babies with teenage mothers on three primary fronts:

1. Strengthening Prosecution of Statutory Rape

The state has recently strengthened enforcement of existing statutory rape laws by establishing a Statutory Rape Vertical Prosecution Program in all 58 counties. Vertical prosecution results in higher rates of conviction by allowing the same prosecutor to follow a specific case all the way through the judicial process and by promoting greater cooperation of victims and witnesses and closer coordination between attorneys and law enforcement personnel. Effective January 1, 1997, civil penalties will be increased for those who commit statutory rape.

2. Partnership for Responsible Parenting Media Campaign

The state will develop a multimedia public awareness campaign designed to educate the public about the problems surrounding teenage pregnancy and fatherlessness and to promote responsible parenting. A primary goal of this campaign is to shift social support and normative behaviors toward increased male participation in pregnancy prevention and more supportive fatherhood if birth occurs. The specific themes and messages of this media campaign will stress male involvement and responsibilities in primary prevention of teen and unwed pregnancies, legal and social consequences of teen pregnancy (statutory rape, child support, etc.) and fatherhood responsibility.

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3. Male Involvement Programs

The state will award funds to 23 community agencies to launch male involvement programs. Each local program will have two major components: (1) an awareness and information campaign, and (2) education and counseling services specifically targeted to adolescent boys and young men to promote their role in reducing teen pregnancies. The diverse array of topics covered in the male involvement programs include rites of passage, family planning, birth control, legal and social consequences of out-of-wedlock pregnancies, responsible parenting, and domestic violence prevention.

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B. SPECIAL PROVISIONS

- I. Indicate whether the state intends to treat families moving into the state from another state differently than other families under the program, and if so, how the state intends to treat such families under the program.

California state law provides that for the first twelve months of California residence, the grant amount will be the lesser of 1) California's actual computed grant amount for the family, or 2) the maximum amount a family of that size could receive in the former state. There are no other differences in the treatment of families moving into the state from another state.

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- ii. Indicate whether the state intends to provide assistance under the program to individuals who are not citizens of the United States, and if so, include an overview of such assistance.

California is currently required to use TANF funds to serve qualified aliens in accordance with TANF provisions. Federal law prohibits the use of TANF funds for benefits for non-qualified aliens.



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- iii. Set forth objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how the state will provide opportunities for recipients who have been adversely affected to be heard in a state administrative or appeal process.

The state will continue to apply existing eligibility criteria which have been designed to provide fair and equitable treatment in the determination of eligibility and the computation of grant amounts, and which treat persons in similar circumstances similarly. The state has specific eligibility criteria concerning basis of deprivation, income, resources, residency, and citizenship that are enforced uniformly throughout the state. These eligibility criteria provide uniform income and resource limits, income disregards, reporting requirements, etc. These criteria determine who is needy and who is not needy.

Applications for aid are made on a state-supplied application form that elicits the same information in every case. Applications are processed promptly by county welfare departments under a system of statewide regulations that ensure fair and humane treatment free of discrimination.

The following policies and principles are in state statute and/or regulations and govern the delivery of public assistance:

- o Assistance is to be administered promptly and humanely, with due regard to the preservation of family life and without discrimination on account of race, color, national origin, religion, political affiliation, sex, or marital status.
- o Assistance is to be administered so as to encourage self-respect, self-reliance, and the desire to be a good citizen useful to society.

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- o It is the responsibility of all who are concerned with the administration of aid to do so with courtesy, consideration, and respect toward applicants and recipients and without attempting to elicit any unnecessary information. Administrative duties should be performed in such a manner as to secure for every applicant and recipient the amount of aid to which he or she is entitled under the law.
- o The provisions of the law relating to public assistance are to be fairly and equitably construed.
- o There is to be no question, inquiry, or recommendation relating to the political or religious opinions or affiliations of an applicant or recipient.

Existing state law provides that applicants and recipients who have been adversely affected are guaranteed a fair hearing before an administrative law judge. Applicants and recipients can request such a hearing either by filing a written request with the county welfare department or by calling a toll free number in Sacramento.